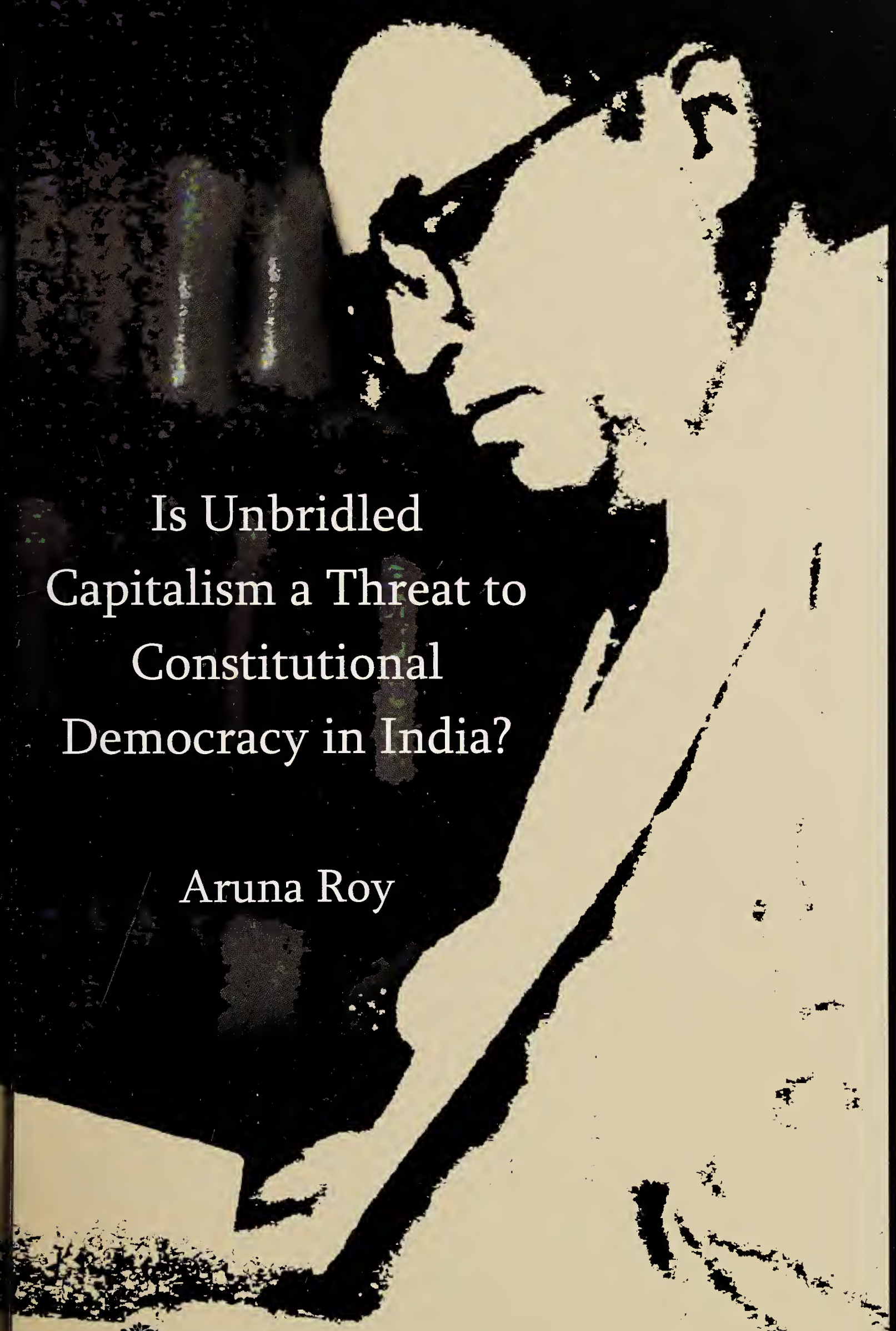


Is Unbridled Capitalism a Threat to Constitutional Democracy in India?

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DR B R AMBEDKAR MEMORIAL LECTURE 2015

The seventh Dr B R Ambedkar Memorial Lecture in the series organised by Ambedkar University Delhi was delivered at the India International Centre, New Delhi on 14 April 2015.

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As we all know, thinking is not dependent on literacy, and our mental vocabulary is not restricted by the ability to read or write. Collective thinking and writing gives us the space to acknowledge the wisdom of the people whose experience is the basis of this talk and this piece. All writings and speeches – including articles, memorial lectures, convocation addresses and speeches accredited to individuals working in the MKSS – owe their ideas, ideology and theoretical assumptions to the MKSS collective and to a larger citizenry of articulate and thinking people.

The Dr BR Ambedkar Memorial Lecture Series was instituted in 2009 by Ambedkar University Delhi. Under this series, an eminent scholar or public personality from among the best minds across the world is invited annually to share his/her thoughts and reflections through a public lecture, particularly in areas of knowledge and human experience such as democracy, constitutional law, equity, social justice, social transformation, social action and engaged spiritualities.

The first lecture, *Ambedkar's Legacy*, was delivered by Bhikhu Parekh. The second lecture, *Citizenship as a Claim or Stories of Dwelling and Belonging among the Urban Poor*, was delivered by Veena Das. The third lecture, *Discrimination and Justice: Beyond Affirmative Action*, was delivered by Deepak Nayyar. The fourth lecture, *Theories of Oppression and Another Dialogue of Cultures*, was delivered by Ashis Nandy. The fifth lecture, Restoring *'Title Deeds to Humanity': Lawless Law, Living Death, and the Insurgent Reason of Babasaheb Ambedkar*, was delivered by Upendra Baxi. The sixth lecture, *Leading India* was delivered by Gopalkrishna Gandhi.

Dr B R Ambedkar Memorial Lecture 2015

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An Explanation

I work with people strongly embedded in the oral tradition. The written word is unfamiliar. Whether lyrics, poetry, song or politics, whether expressed in anger or in peace, with wisdom or bigotry, it is housed in the oral tradition. But to only speak, which is all I did in the beginning has led to some degree of chaos. Reproductions of transcripts have been problematic. The time constraint, the ambience, the surly or engaging look of a listener can make one stumble and go off the strict logical build up that a written script requires. The written script has a life of its own. Written words travel bereft of the support of mime and ambience. That is why we speak as well as write: two scripts on the same theme.

Is Unbridled Capitalism a Threat to Constitutional Democracy in India?

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Provocative as this title may sound, it reflects a live predicament. A question such as this would not have been framed three decades ago in India. However, we live in the era of 'liberalisation of the economy' – perhaps more aptly referred to as neoliberal globalisation, where international capital and its movement in and out of the country determine many aspects of policy. There has been a steadily growing concern about the manipulation of democratic institutions and instruments that might enhance inequality and justify autocratic state action – all in the name of development and growth. The polity is shrouded by a functioning electoral process, lulling the mind into comfort. But the foundation on which the nation was built and its guiding principles enshrined in the Indian Constitution are being systematically eroded. They are even dismissed as being out of date and irrelevant. Growth rates in GDP are presented to the country as the only defining principle of 'development,' with scant attention to the distribution of that growth, and almost no attention to the costs of such 'growth' on people or the environment. The capitalist system has a very selective bottom line. India's Gini coefficient is 33.6 in a curve where zero is the highest level of equality of distribution.[1]

[1] Gini index measures the extent to which the distribution of income or consumption expenditure among individuals or households within an economy deviates from a perfectly equal distribution. A Lorenz curve plots the cumulative percentages of total income received against the cumulative number of recipients, starting with the poorest individual or household. The Gini index measures the area between the Lorenz curve and a hypothetical line of absolute equality, expressed as a percentage of the maximum area under the line. Thus a Gini index of 0 represents perfect equality, while an index of 100 implies perfect inequality.

There is, in fact, a strong and obvious tension between the growth of individual and corporate wealth and issues of equity. Consequently, the architecture of the Indian Constitution, designed to ensure that growth occurs evenly and with justice, is now seen as an impediment to high growth rates and to 'progress' as it is defined in the neoliberal paradigm. It is understood that the GDP depends on the efforts of the private sector to begin and expand economic enterprise, and therefore the profit motive of the private sector is to be given priority in order for the country to 'progress'. There is no clear definition of 'development' or 'progress'; no statement of intent given to the people. The focus is no longer on issues of equity.

Capitalism likes to project a symbiotic relationship with democracy. However, as we are witnessing in India, it cannot brook any opposition. Therefore, it becomes a situation in which democracy itself needs to be converted into a marketplace where money and capital will decide policies and only those with money will have voice.

National liberation is hollowed out by seeking to limit the concept of independence to the flag and a national anthem. The Constitution and those who invoke its principles are inconvenient because they remind us that independence promised much more to its people.

UNDERMINING CONSTITUTIONAL GUARANTEES

"The Swaraj wherein there were no fundamental rights guaranteed for the Depressed Classes, would not be a Swaraj to them. It would be a new slavery for them." -- Ambedkar

Lively deliberations about the Indian Constitution began in the Constituent assembly. For every "argumentative Indian", the constitution has been a subject of discussion and debate. But current policies have brought these contestations into sharper focus, with the immediate fallout nudging an indifferent citizenry to understand the implications of tampering with basic Constitutional rights. Ideological perspectives may have kept changing with the times but the sanctity of free speech, expression and democratic space was never undermined, except during the dark phase of the emergency. But now positions are taken to ridicule rather than debate, in which dissent and opposite points of view are sought to be obliterated.

Ours is a Constitution built by people who understood struggle.

It was drafted by political leaders who spent their lives fighting against exploitation and oppression from powers both within and outside the country. As a result, they were careful to ensure that the voices of the marginalised were amplified; that plurality was protected; and those fighting for equality and justice would be supported by the Constitution and the State.

In the era of neoliberal globalisation, with GDP as *the* indicator of performance and success, Constitutional values are being brushed aside as outdated, irrelevant, and an impediment to the objectives of 'economic growth'. Nothing could be a bigger mistake. All of us would do well to take stock, and examine what we stand to lose as individuals, as a people, and as a nation, when in the name of 'opening up' the economy to investment; there are disguised and direct attacks on the citizens' fundamental right to equality, liberty and fraternity, through executive and legislative measures. In fact, what professed nationalists should realise is that this formulation is the biggest threat to the idea of India. When the sanctity of the Constitution is undermined by ignoring its spirit, it affects the Constitution itself in a fundamental way, and the fine balance that holds us together could begin to fall apart. The ordinance on land and the substantial cuts in social sector budgets have been bad enough. Now, even the rhetoric of inclusive growth has gone. There is middle class outrage against 'subsidies' to the poor. But the subsidies to the rich, tax reductions and waivers are passed without a murmur. There is talk against crony capitalism and yet, Adani is given a $ 1 billion (Rs 6,200 crore) as loan by the SBI. In such a scenario, it is even more important to reinforce the centrality of a Constitution: created to safeguard the interests of a nation fractured in its social fabric by discrimination and inequalities, and perpetuated by feudal and colonial power. The Indian Constitution remains an extraordinary document that drew an unusual consensus.

These Constitutional values were an outcome of the collective consciousness of a complex, organic national movement that sought independence from an external exploitative power. It sought to build a society that would guarantee an equal sense of justice and opportunity. In appointing Dr. Ambedkar as the Chair, there was an implicit understanding that a society built on an exploitative and pervasive caste structure could only be recast if the alternative was shaped by and with people who had experienced the nature of oppression unique to Indian society. Today we have ruling elite who have no experience of struggle in their personal or political lives. It is reflected in their insensitivity to those who present a different point of view. Having cornered the larger

share of resources for themselves, the elite believe that economic growth is the path to progress. How can they not – considering they have been the beneficiaries of an unbridled capitalist 'growth' machine.

A poor woman says in a Bharatiyar (Subhramanya Bharati) poem that she wants her bowl of gruel, in order to stay alive, but much more important for her is the right to say that she wants the gruel.

Free speech without equality promotes its selective use with approvals only when self-interest is not hurt. For the rich who have easy access to power, free speech is often seen as an impediment – especially when it amplifies voices that hurt their financial and other interests. The investment sector and big business have succeeded in using propaganda to sanctify growth. These generate a false picture that anything that is an impediment to their (the State included) plan, is seen and described as anti-development, anti-progress and finally as anti-national. Such is the case of Priya Pillai being deplaned as she left to testify in the UK against a UK based company and its anti-people, anti-environment policies in India. The collateral victim is the Constitution and its guarantees. There are many voices of professional groups, from the global south and north questioning the grand success of a pillaging capitalist universe but the corporate-monopolist control over media, in most cases, prevents its message reaching the ordinary citizen.

The monopoly, through a combination of technology and capital to influence thought, over our minds and ways of thinking is perhaps ultimately most threatening. We all read and were worried about Big Brother in George Orwell's great masterpiece *Nineteen Eighty Four*. At least the controls were visible externally. This is an insidious system that seduces people into a false comfort zone while reducing basic rights. The apple dangles forever just a few inches from one's reach. Pushing us on to take that one more loan, till the dream and finances crash! In the past, there was a counterpoint which pointed out the pitfalls of a system that ignored distribution and encouraged inequality. Today capitalism is not allowed to face an adversary, and the poor have few friends.

Capital investment comes with the motive of seeking profit, and justice demands prior information on what its impact may be on equality. In India equality is a new space for millions of people who lived crushed under discrimination and poverty for millennia. Constitutional guarantees have been the tenuous link to justice. It is a fragile space that post independent India has managed to construct, with creativity, sweat

and tears. Capitalism finds itself confronting those who have now tasted and cherish freedom with equality. The usual lure of money has a point beyond which it does not play. The power of money drives itself, buying allies, media, and even elections along the way. The coterie where money and the power of the state collude is obvious and visible. Never more so as in rural India, where niceties are done away with. When money power does not succeed, the necessity of having an acquiescent state becomes imperative and state violence becomes a necessary by product.

The present political system works with capitalist structures and the means of the business world. It uses every trick of business management from sales strategy to monopoly controls. It is no longer a secret for people who know that a 'brand' can be built equally for toothpaste, and for political candidates – including the prime minister and chief ministers. This is a build up used eventually to either propagate or dismantle an idea, or a structure. Words and acts perpetuated against constitutional principles may possibly be part of an attempt to dismantle these principles that are so fundamental to democracy and are enshrined in the constitution. This is why any attempt to move from guaranteed and legislated basic principles of equality – humanity and fairness – must be viewed with deep concern.

The 'educated elite' may be shocked but are careful not to upset the economic apple cart. It is in the nature of the propaganda machine to slowly build up from a single voice to many, gaining courage from being abusive or unconstitutional. All attempts at equality are whittled down while giving credence to irrational arguments.

Can the Indian Constitution withstand the brute force which is an accompaniment of the capitalist enterprise? Can a set of ideas enshrined in law offer enough support to the many people and communities who need its protection the most? At first glance it would seem to be an unequal and impossible task. However, when we understand the impact of vast numbers of people facing increasing hardship and difficulty, it is clear that there will be many significant battles ahead. People understand what is happening and who is benefitting from it. Sixty years of democracy have also given them the experience of organising and coming together to legally demand what is their due. This is why there are many battles today around laws; some of these laws are demanded and protected by ordinary people while other laws are resolutely opposed by them. In December last year, more than 20,000 people from across India representing a large cross section of voices assembled in Jantar Mantar under the banner of

"Abkibaar Humara Adhikar". These were diverse people and communities who have been displaced economically and politically through a process of development that leaves them bereft of the right to life itself. They were representatives: a single voice in Jantar Mantar spoke for the thousands who could not travel to Delhi from their villages. They were able to place MGNREGA as non-negotiable but they did not manage to quell the pressure of the capitalist lobby on land and many other rights. The ordinance on land acquisition is a violation of the most basic guarantee of 'swaraj': the right to claim sovereignty over land, thereby allowing citizens to help define their relationship with the state.

The Indian Constitution and the legal framework are in fact going to be a primary battleground of the immediate future. In all likelihood, it is ordinary people who are going to repeatedly swear allegiance to the Constitution. Whereas, ironically enough, it is the rulers who will want to set it aside, change it, and if these attempts fail, undermine it and make it irrelevant.

For the large part, the phase beginning with market globalisation in the early nineties has been the most threatening for Constitutional principles. The contradiction between the market and its principles of competition and profit on the one hand, and the constitution and its principles of equality and justice on the other were bound to come to a head. Given the importance of the Constitution to India's polity and democratic future, the dilution of its principles could only begin in a piecemeal manner. This has now steadily grown to a point where rulers have dispensed with even the attempt to show that policies are in keeping with the Constitution.

People, however, have felt the effects and strengths of these policies, and have now become the most vocal proponents of basic Constitutional principles. These differences have led to a new area of contention – the need to protect the freedom of expression, which also is enshrined in the Constitution.

Contemporary attacks on the Constitution are no longer piecemeal. Basic concepts are being questioned. The preamble to the Indian Constitution is for many an invocation to democracy – one of the only secular chants we have. A prominent government advertisement deliberately omitted the words, "socialist and secular", and an explanation was offered that the words were not there in the original version. The words omitted were the two that cause conceptual discomfort to the ruling regime were, we

were informed, apparently just a co-incidence. Announcements were subsequently made that only the current 'official' version will be used. Nevertheless, so called fringe elements grabbed the opportunity to say that the time has come to debate the utility of the concepts themselves – and one realises that there is method in this madness.

It follows that in the era of neoliberal globalisation, Constitutional values are being brushed aside as outdated, irrelevant, and as impediments to the objectives of 'economic growth'. Nothing could be a bigger mistake. More direct attacks on the fundamental right to equality, liberty and fraternity are carried out through legislative measures, in the name of 'opening up' the economy to investment. No amount of the use of state violence can really quell peoples' power or protest. The consequent attempts to suppress questioning and critique, through the denial of fundamental rights has exposed the real plan.

In this context, it is even more important to reinforce the centrality of the Constitution: created to safe guard the interests of a nation fractured in its social fabric by discrimination and inequalities, which are perpetuated by feudal and colonial powers. The fact that Dr. B. R. Ambedkar chaired the Constituent assembly, not only resulted in a legal framework that expressly emancipated the most oppressed but also protected the democratic rights of all people to freely express themselves – especially to articulate distress. Three challenges were understood and sought to be secured for all citizens – freedom from want and access to the basic necessities; dignity and the equality of all; and the freedom to speak out, state disagreement, and express dissent. All three are crucial, and together define Indian democracy and its relevance to its citizens.

Capitalism in theory and in practice, finds it difficult to operate in the realm of justice and equality. It is competitive, single minded, and ruthless in its drive for profits. It uses the power of money to drive itself, buying allies, media, and even elections along the way. Within a democratic framework, it is deeply insecure and threatened by voices that might burst its bubble, or expose the inequality and injustice that might be an outcome of capitalist policies.

That is why there are repeated attempts to suppress difference of opinion, from the incarceration of Binayak Sen for sedition some years ago, to the targeting of NGOs critical of nuclear energy or GM foods. The change in regime at the centre has only amplified a discourse made public by the State Intelligence Bureau (IB) that these voices are anti-

development, and therefore anti-national. The sometimes uneasy alliance between communal and market forces is sustained by the state looking the other way, when 'unconstitutional' attacks are made on prominent public intellectuals. The threats to Ananthamurty, a great Kannada writer, or the killings of Dhabolkar and Pansare – for expressing views, which the majoritarian fundamentalists could not tolerate – are all part of the package to intimidate people who may set an example, and foster a popular discourse that might be difficult to withstand.

The atmosphere of intolerance has got steadily worse over the last fifteen years. The shameful hounding of M. F. Hussain and the recent Shiv Sena editorial in its mouthpiece *Samana* demanding that Muslims be denied the vote, shows how much state tolerance there is for those who launch blatantly unconstitutional attacks on the idea of an inclusive India. The apparent and real disregard for a plural India places many uncomfortable questions at the door of the literate often confused with the 'educated' electorate. Not the least of them is the straightforward question: how much freedom are we willing to barter for comfort and 'the good life'?

Constant vigilance is necessary. Even seemingly weak or quiet suggestions to dilute those principles in the law or Constitution which protect democratic expression and minority rights cannot therefore be taken lightly. Any attempt to whittle down protection for equality and justice in existing structures of the constitution and the law, must be viewed with concern. In essence, the Constitution laid down principles to protect the freedom of people and the exercise of equality in a country with a web of discriminatory interests and a feudal hierarchy entrenched in tradition. A Constitutional democracy was sought to be built which would give economic, social, and political opportunity to all citizens – this was an almost impossible challenge.

An Assertion of Constitutional Rights

In this new and more hostile atmosphere post economic liberalisation – that theoretically and politically prioritised selective 'freedom' in and for 'the market' over other forms of freedom or political rights – marginalised communities had to reorganise their struggles. On the political side, deepening democracy and democratic rights became a natural corollary. On the economic side, a demand of universal basic development rights was the new paradigm of a rights based approach to development. During the transition to a market economy, the state began

talking of inclusive development and 'growth with a human face.' The peoples' movements were making demands to move beyond safety nets to a rights-based approach. The result of those struggles was the slew of rights-based entitlements such as the Right to Information (RTI), National Rural Employment Guarantee Act (MGNREGA), Forest Rights Act (FRA) the Right to Education Act (RTE) the National Food Security Act (NFSA), etc. These legislations were the result of people asserting democratic equality to claim economic and social rights. The marginalised poor were collectively claiming a minimal level of entitlements in a 'free and democratic' society. Legislations such as the SEZ Act were a simultaneous concession to marauding capitalist interests. Uneasy as the tension between two contradictory forces was, there was an attempt by the UPA I government to recognise and legislate the right of all India's citizens to some basic protection or services.

This new assertion of using legal entitlements to access basic rights arose from the continued appalling condition of people, although many governments came and went in the centre and in their respective states. They had waited on the sidelines, hungry and beset by innumerable problems for half a century after independence. The slow, and sometimes absent delivery system, also brought focus on issues of democratic governance. There was a widely acknowledged recognition of the failure of delivery, by a bureaucratic and political system that had inherited a colonial system of elite control. It was no longer a secret that all the political parties that had ruled India had failed to really reflect the aspirations of the people in planning or implementation, because citizens had not been empowered, or even allowed to seek their own remedies.

Within this narrative is the weaker and more populous marginalised Indian citizenry, who has used egalitarian yearnings to occasionally come together to attempt building a shared vision, bridging the multiple gaps and reducing discriminations. The vast majority of India's population have understood the connection between the vote and governance. But the links between the vote and economic and social rights, which seemed to be getting clearer, have been muddied. Greater economic and social equality as promised in the Directive Principles of State Policy seem to have been pushed aside. With the new economic order, those at the margins are suddenly even more marginalised, and have nowhere to turn. From being ignored by the race to achieve high growth rates, they have now become its victims. In a theoretical sense they have every reason to demand the deepening of the manifestations of the fundamental principle of political equality underlying one person, one vote.

The Challenge: To bring together Social Justice, Economic Equality, and Political Expression

Let us recall what Dr.Ambedkar said in his address to the Constituent Assembly on November 25, 1949, at the dawn of the Indian nation, as the Constitution was placed before the people of India:

> On the 26th day of January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we shall by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment else those who suffer from inequality will blow up the structure of democracy which this Constituent Assembly has so laboriously built up.

Even as India, rejoiced over its freedom, the country saw the worst of partition and some of the obvious challenges of its celebrated 'plurality'. Before India even gave itself a Constitution, Gandhiji was assassinated. The Independence movement had created a powerful legacy of civil disobedience, struggle, and political protest under very adverse circumstances. Post independence, the different shades of the political spectrum were left to battle it out within the framework of a democratic polity. While the electoral and parliamentary structures have received great attention as the 'mainstream' political process, it is actually within the textures of the Constitutional framework of rights and decision-making, that the more fundamental issues are being contested and addressed.

The situation has changed once again after the 2014 elections. People who are sought to be dismissed as fringe elements, in fact, reflect some of the priorities of the ruling regime. Today, this fringe can create a larger than life message through the virtual domain. Even the democratic legitimacy of numbers can be purchased through the click of a mouse. The propaganda machine is over active on social media even proposing the obliteration of Newton and Akbar from textbooks. There is a veiled attack on scientific temper, while enthusiastically promoting technology for profit. Books are

pulped, people killed, and those presenting dissenting views are blatantly attacked. The right to freedom of expression is threatened and when fatal attacks are made on people who dissent, like Dabholkar and Pansare, the state is silent. Till a year ago, those who toasted Gandhi's assassin were truly 'fringe elements' restricted to a small section which was largely unseen and unheard. There is an almost absurdly loud proposal that Godse's statues should be put up as the 'true nationalist' as against the 'usurper' to such claim – Gandhiji. Gandhiji's worst critics would have been appalled at even the mention of elevating Godse to a national hero. Both the state and civil society did not allow such statements to occupy public space in the past. The official representatives of the state are so busy on the 2nd of October, trivializing the message of Gandhi to a broom, but are just as deafeningly silent on the attack on his life and his essential message. What has enabled this shift and made it so easy?

UNBRIDLED CAPTALISM

Growth for Some vs Empowerment for All

Ambedkar recognised that the power of money is often, if not always, too strong and overpowers ethical and democratic scruples:

> History shows that where ethics and economics come in conflict, victory is always with economics. Vested interests have never been known to have willingly divested themselves unless there was sufficient force to compel them.[2]

The theoretical frameworks and principles of both Dr. Ambedkar and Gandhiji are under attack, as the ground shifts from empowerment to growth at any cost. Constitutional rights are being implicitly and explicitly undermined. The right to decentralised decision-making, the protection of natural resources and self reliance is threatened as never before.

The objective of addressing and removing poverty and economic inequality was written into the Constitutional framework, although the obligations of the state were diluted by placing them in the 'advisory' nature of the Directive Principles of State Policy. Gandhiji's India was an India where hands would not be idle and the capacity of production in already existing skills would be recognised and promoted. There was an emphasis on the economics of self reliance. While their concerns

[2] In The Annihilation of Castes in 1936.

were never addressed before or after independence, democratic rights in the Constitution has opened up spaces for those being uprooted periodically and displaced by 'development' projects to at least articulate their deep distress. Coming together in organised campaigns and peoples movements has given them a theoretical framework for their struggles, while using enabling constitutional provisions. Marginalised and oppressed communities found support not only in the Constitution but also in a decision-making framework that at least paid lip service to socialism, secularism, affirmative action, and the goals of a welfare State.

The current attack on Nehruvian India is cloaked in the phraseology of politically discrediting dynastic rule, and blaming the structures he introduced. The claim is that his socialist outlook set India back economically and in support of the claim the public sector in India is being dismantled, including the winding up of the Planning Commission. But there is an underlying intent that is not articulated. Nehru promoted a secular and scientific India within rational paradigms. He also chose to introduce a socialist model to promote the growth of infrastructure and create the base for industrialisation in India. The current dispensation promotes an ideological position that favours inequality in social structure and in economic access, and is bound to have problems with the words 'socialist' and 'secular'. When scientific principles are replaced by myths, mysteries and prejudices, the rational paradigm is broken. The business management structure comes from a universe that would be happy to see the end of use of words like 'socialist', but would be embarrassed by the throw back to ignorance, prejudice, unscientific attitudes and the rubbishing of scientific temper. The discourse promoted in the public domain is therefore shallow and incomplete. The mode for selling toothpaste and 'fair and lovely' creams does not allow space for anything more than a jingle.

The asking of questions is fundamental to scientific temper and to democracy. India understood that development and growth were not possible without reducing inequality and addressing injustice. Even as the big dams and the steel plants were commissioned, the attitude to welfare was still a priority for a new India, and the independent Indian government tried to bridge the two divergent interests through protecting constitutional guarantees. But whatever the differences, no one could argue against the necessity for the State to assume responsibility for the welfare of its most vulnerable. There were nuanced differences between and amongst the ruling elite. However, independence was largely seen not merely as freedom from the colonial government but as freedom

from want. Development for this country could not be achieved without addressing development with equality and justice.

The Era of Market Globalisation

The direction of aspirations changed in the early 1990s. Neoliberal globalisation of the 'free' global market accompanied by economic liberalisation in India fundamentally altered the discourse of the so called mainstream. The basic Constitutional structure remained, but the lip-service of decision makers to egalitarian principles of socialism and the welfare state was slowly and deliberately replaced by an enthusiastic endorsement of the driving force of profit and consumerism. New found 'freedom' was said to have come in a package – the political freedom of democracy, and the economic freedom of profit and growth. The capitalist victory over the 'socialist world' allowed political freedom to be interwoven with a model of profit driven economic growth. The inherent contradictions of capitalism and democracy were not only ignored but a model of capitalist democracy was also propagated across the world as inherently complementary rather than contradictory.

The popular apprehension to the form of governance in socialist countries was its totalitarian structure and its repression of freedoms. The delivery of promised equality was also compromised because of corruption within an unquestioned structure that was intolerant of dissent, criticism and critique. The capitalist alternative spouted as the opposite of a totalitarian regime, may in fact be just as totalitarian in a very manipulative and insidious way. It uses the invisible power of money to manipulate and impose monopolies, to restrict freedom of speech by buying up and creating media monoliths, and ultimately by financing elections to manipulate policy, legislation and governance. In India, where the chasm between intent and action is colossal, the double speak and the manipulations are more explicit and apparent.

Constitutional guarantees have become subservient to profit and money. The red herring and the holy cow—a weird hybrid if ever there was one – is the word, 'growth'. This very ambiguous and strange species has become the facade, the cover and the excuse for the undemocratic perversion of policy, legislation and performance.

Growth and Economic Inequality

In fact, the warped priorities reflected in the unequal distribution

of the fruits of growth are only too obvious when we look at the analysis of different indices that Amartya Sen and Jean Drèze made in an article published in 2011.

> Indeed, even today, after 20 years of rapid growth, India is still one of the poorest countries in the world. This fact is something that is often lost sight of, especially by those who enjoy world-class living standards thanks to the inequalities in the income distribution. According to World Development Indicators 2011, only 16 countries outside Africa had a lower "gross national income per capita" than India in 2010: Afghanistan, Bangladesh, Cambodia, Haiti, Iraq, Kyrgyzstan, Lao, Moldova, Nepal, Nicaragua, Pakistan, Papua New Guinea, Tajikistan, Uzbekistan, Vietnam and Yemen.
>
> The progress of living standards for common people, as opposed to a favoured minority, has been dreadfully slow – so slow that India's social indicators are still abysmal. For instance, according to World Bank data, only five countries outside Africa (Afghanistan, Bhutan, Pakistan, Papua New Guinea and Yemen) have a lower "youth female literacy rate" than India (World Development Indicators 2011). To take some other examples, only four countries (Afghanistan, Cambodia, Haiti, Myanmar and Pakistan) do worse than India in child mortality rate; only three have lower levels of "access to improved sanitation" (Bolivia, Cambodia and Haiti); and none (anywhere – not even in Africa) have a higher proportion of underweight children. Almost any composite index of these and related indicators of health, education and nutrition would place India very close to the bottom in a ranking of all countries outside Africa....There is probably no other example in the history of world development of an economy growing so fast for so long with such limited results in terms of broad-based social progress."[3]

Ideology or Jargon?

Capitalism, like Democracy, is a trendy phrase and the idea of it has been linked with essentially a free market and the notion of profit and material well being. A 'free market' remains a mythical notion as controls of the market and its working are pre-decided and manipulated by the elite working within a hierarchy of affluence and power, which is jealously guarded and preserved at all costs. The starting line has no handicaps. In other words, we expect the most endowed and privileged, and the person from the lowest rung of the class and caste hierarchy to 'compete' in 'fair

competition' so that the best man might win! An anti-affirmative action group of elite students in Delhi University call themselves "Youth for Equality" and neoliberal globalisation builds its conception of equality based on the driving force of money and capital. As much as we might call this equality and justice, it is obvious to the poor that the system remains loaded against them. Stiglitz, echoing Ambedkar says of the market:

> ...economic inequality puts our democracy in peril by undermining our basic principles of one person, one vote; and how our notion of America as a land of opportunity has been undermined and our principle of justice for all has been perverted into justice for those who can afford it. If you go through almost every social and important political economic debate, it's being shaped by the massive inequality we're facing today..."High levels of economic inequality lead to imbalances in political power as those at the top use their economic weight to shape our politics in ways that give them more economic power. If you look at so many of the outcomes in our political process, no one can say that they reflect the interests of most Americans... What they're doing is moving money from the bottom to the top. But they're not creating wealth; they're just shifting wealth around. And the people who have been exploited are not better off; in fact, they're worse off.[4]

DEMOCRACY WITH EQUALITY AND JUSTICE

Exploring the Democratic Framework

India established a legal framework of Constitutional democracy first, before the new economic paradigm made inroads. Those who are distressed and displaced because of 'development' have asked for and continue to act to assert their democratic rights. They are expressed in multiple ways – through democratic institutions and democratic practice including expression of dissent and disagreement, through satyagraha and public protest. The numbers are too large to quell. The State tries to ignore uncomfortable questions, but is occasionally forced to respond and accept. The State is unable to act completely contrary to the laws framed by itself, and sometimes finds itself bound by legalities and due process. In order to give the new economic paradigm full control peoples' access to legal recourse becomes an impediment. Completely denying

[3] ~~Amartya Sen and Jean~~ Dreze, "Putting Growth in its Place" The Outlook, Nov 14, 2011
[4] Joseph Stiglitz in an interview with Jared Bernstein on his book The Price of Inequality

people access to legal recourse is not possible. The laws were changed in a manner in which the law itself would further empower the capitalist class! Ironically, laws had to be made so that the highest priority could be given to FDI and foreign companies and corporates. Never mind if the 'rule of law' would itself be unconstitutional affecting the right to equality, access and justice. Unrest and protest had to be stopped and stopped legally – law and justice did not have to be complimentary. The attack on the rights based legislations by the present dispensation proves the point. Prabhat Patnaik[5] comments:

> The starting point of the answer to such questions is the basic social philosophical position which underlies the argument both for the welfare state and for socialism, namely that material deprivation is the result not of some individual failing on the part of the deprived but of the social arrangement within which they live. If there are people in society who are hungry and malnourished, then it is not their fault but that of the social arrangement under which they live; if there are people who are involuntarily unemployed then the reason for that lies in the social arrangement under which they live; if there is concentration of wealth at one pole and of poverty and destitution at another, then this is reflective not of some 'natural order of things' but of the social arrangement under which people live. And this social philosophical position is not a matter of faith, but is analytically sustainable.

Stumped by democratic processes and persistent assertion by poor communities in India, irate investors see laws to ensure equality, justice and the constitutional guarantees themselves as impediments that need to be removed.

Propaganda or Informed Choices

The use of propaganda, simplistic accusations and carefully created myths has been part of the modus operandi of today's politico-corporate complex. One such myth currently generated and placed in the public domain is that the country's growth rate has been badly affected by rights based legislations. There is an opinion that, "the social policy of the last decade has set India back". The spurious argument is that democratic dissent related to economic reform is disastrous for growth, and, therefore, is anti- national and that what India needs is a capitalist dictatorship!

[5] Prabhat Patnaik in The Hindu on May 10, 2012.

In a survey of young students done by NDTV only in metropolitan cities – though very slim in its coverage since it had only included exclusive colleges – it is claimed that a majority preferred dictatorship to 'democratic leadership'. The notion of 'strong' leadership, and anointing one person to sort everything out, undermines democracy itself. Talking of dictatorship portends ill for this country's youth and for the millions who do not live in consuming and purchasing affluent India. Most of the poor and marginalised in India, also fall out of the net and ambit of cameras, surveys and opinion polls. For most of them, democracy is a means to express their distress. Sometimes it is a means to support someone who promises to secure for them a small share of independent India's affluence and comfort.

The politicians pretend to listen when cornered; the civil service looks at them as trouble – "mobs". A current new coinage is professional protestors – who come to unsettle them and their weightier issues. When they assemble in strength and protest, the State comes down heavily on them. The conflict that has arisen is at a much more fundamental level – between a burgeoning understanding of democracy and its use by poor people, and the onslaught on them of the moving forces of capitalism – investment, money, profit and consumerism.

Democratic Rights and Peoples' Movements:

India has a rich and creative tradition of peoples' movements. This is a legacy from across the spectrum in the independence movement. Gandhi, Ambedkar, Bhagat Singh, and the Communists knew that mass mobilisation and peoples' participation in political processes were the strongest vehicles of real change. Mahatma Gandhi refused to take office and continued to fight against injustice even after independence. Even single-issue struggles against injustice in any sphere in India have implications and impact the larger political edifice. Protests are in the millions and when they develop into movements and campaigns they create a new kind of engagement and space forcing the system to work democratically. Sometimes even the seemingly impossible has been achieved through determined pursuit, by using non violent pressure on the system to deliver. Whether it is the unequal battle against a nuclear power plant in Kudankulam, or sustained struggle against a big dam by the NBA, or the struggle against POSCO in Orissa, people have had to take on the might of the state and corporate power through creative modes of resistance and democratic protest. Many of these are inspired by the Indian National Movement and in particular by Gandhi and his

modes of Satyagraha and civil disobedience.

As we all take the essence of the mode from Gandhi, we all also lay claim to his legacy. Peoples' movements have also had to aspire to build the combination of moral strength, humility, honesty and political shrewdness that made the Indian Independence movement a unique struggle against colonial power. The tradition of revolutionary non violent protest continued with Jayaprakash Narayan and his call for total revolution. What we need to remember is that this breadth and depth of vision and action will only be born out of the struggles of people on the margins – the disenfranchised and the oppressed, who have been fighting collective battles with a strong commitment to principles and values. Real change takes place when democratic space is given to those struggles to assert the voice of the marginalised, till a point of true inclusiveness is reached.

Ambedkar had personal experience of discrimination, and in his search for justice had gained first-hand experience of the importance of collective action and struggle. He knew that for socially and economically marginalised communities in India, the fight for justice was much more imbalanced. He, therefore, sought to provide a strong legal framework for equality so that the law would support those fighting for equality and justice. Having made space for the aspirations of the marginalised within the Constitution, he was determined to ensure that the legal system not only created the right but also supported the oppressed even as they fought to realise their rights. He was keen that their struggles take place within the Constitutional framework. This legal and Constitutional assertion for democratic equality, coming as it does from the poorest and the lowest in the social and caste hierarchy, has been unacceptable to the power elite. The truth is, that the poor are not only the greatest defenders of democracy, (since it gives them space, voice and equality) they are also its most creative theoreticians and practitioners. This combined legacy of Gandhi and Ambedkar, of satyagraha and constitutionally protected struggle, has resulted in a tradition of creative and successful peoples' movements in India. It is the questions of the poor that began and strengthened the journey for the peoples' right to information, and subsequently led to a vigorous demand for transparency and accountability. The issues raised by poor and marginalised communities either proactively (as in the case of Right to Information) or in defence (as in the case of displacement) have found their way into the theoretical and legal framework. Those fighting with their backs to the wall are persistent and tenacious in their struggles. They were, in many cases, first ignored by the State, the media

and policy makers. They have however, used the lexicon of democracy and democratic rights to build a number of other important basic rights. Even though there are many crises, the volume of protest has increased and with it the capacity to shape the discourse in the idiom of modern democratic vocabulary has increased. People have developed the capacity to ask for political accountability, and to show up the hollow arguments and rhetoric of election promises. Unable to answer logically and equally unwilling to enter into a real dialogue, the State has begun to use violence, and has started attempts to change the legal framework. It also equates dissent with anti-development and anti-nationalism. Unfortunately for the modern corporate state, the people have learned to keep watch on the legal framework, defend the Constitution, and fight exploitative law making.

Capitalism and the Rights based Framework

An electoral mainstream dominated by the need and desire for money is predictably open to and supportive of the capital and profit driven model of growth. Control over natural resources, as well as the right to commercialise and appropriate knowledge systems for profit, became the potential flash points in obvious ways. Peoples' movements, using the Directive principles and the guarantee of fundamental rights as sacrosanct, have fought to protect the Constitution and democracy. In areas such as the Narmada valley or Niyamgiri control over land, water, and natural resources made the battle stark and binary. The slogan defined the adversarial world view as *'vikas vs vinash'* (development versus destruction) when one community's development comes at the cost of another's destruction. By forcing displacement, 'project-affected people' (mostly tribal communities) had the struggle for survival thrust upon them. As they fought for the right to protest and express dissent, they had to turn to the Constitution that guaranteed them political equality. This was part of the battle for control over state power and decision making.

Ultimately, independence of decision making and the use and accountability of democratic institutions is an important factor to help guarantee equality. The ruling elite claim that this struggle for equality has allegedly destabilised the growth agenda. Investment and growth in its hasty strides comes into direct conflict with the demand for political equality promised to all citizens, poor or rich. Amending the land acquisition and rehabilitation laws through ordinance is an example of the reaction of the ruling class to peoples' democratic pressure. In one stroke, it denies rights to common people while exploiting available

legislative space by bringing in an ordinance. The vote will have to remain as it is; no category can be denied equal franchise. The easiest to attack are the enabling legislations which made an attempt for the first time in independent India to create 'an even playing field'. The target has been the rights based legislations and their growing strength.

POLITICAL ENGAGEMENT AND DELIBERATIVE DEMOCRACY

Political Formations for realising peoples' rights

A new assertion for entitlement to basic rights arose from amongst the people who had lived on the sidelines under appalling conditions beset by innumerable problems for over half a century after independence. The slow and sometimes absent delivery system pointed to a poor system of democratic accountability and governance. As top down development and governance structures failed, it became clear that citizens had not been empowered to seek their own remedies either.

Peoples' movements had begun to respond to these challenges and forge their own paradigms of equality to gain some control over their collective future. On the political side, deepening democracy and democratic rights became a natural corollary. On the economic side, a demand of universal basic development rights was the new paradigm of a rights based approach to development. The state began talking of 'inclusive development' and 'growth with a human face'. The overwhelming concentration on growth rates meant that those who demanded capital investment and growth would be favoured regardless of its costs to other segments of society. Such was the greed of this segment of society that all rights based entitlements such as the RTI, MGNREGA, FRA, etc. were opposed and sought to be diluted. Even through the period when these basic legislations were passed, concessions were made to the corporate sector through legislations like the SEZ Act.

The RTI, MGNREGA, Forest Rights Act, and the NFSB, which ensures food security, went through long pen-debates and consultative processes inside and outside parliament. The movements for these laws were examples of the assertion of democratic rights to claim economic and social rights: disadvantaged citizens claiming what is theirs in a 'free and equal' society. The SEZ law, on the other hand, was an example of a law that was passed without deliberation and discussion. Today, attempts are being made to amend the Land Acquisition Act, but citizens' groups and social movements have been watching these processes and happenings in

a hawk-like manner.

Grass root realities and terra firma

It would perhaps be relevant to explore the contours of the MKSS journey over the last twenty five years. When MKSS was formed in 1990, everything about it was seemingly out of fashion. Its name: an organisation of labour and peasants, and its motto – "*Nyaya Samantha Ho Aadhaar, Aisa Rachenge Hum Sansar*" (We will shape a world with equality and justice). An organisation like the MKSS could not and cannot afford to be merely rhetorical. It has to connect with the practical everyday needs of its primary constituents. The beginnings of an alternative future arise out of the hundreds of practical questions and solutions, and struggles for equality and justice. The wisdom, sagacity and vision of equality in the Indian Constitution, the legacy of satyagraha and civil disobedience of Gandhi, and the Marxian lens of class struggle enabled the poor to begin using their areas of strength.

These principles define the condition of the poor, which makes most of them natural Marxists, and Ambedkarites and Satyagrahis in their mode of protest. These have shaped the contours of the history and strength of peoples' movements. It has been a search for democratic space and broad alliances.

Popular Resistance

The model of neoliberal growth (officially defined as development) is now being relentlessly pursued by the Indian Government, and resolutely resisted by many local communities. These dogged protestors and their supporters are labelled troublemakers, professional protestors, anti-growth and anti-development blackmailers, and finally declared anti-state and anti-national. It is an attempt to project any resistance to a project, as being against the nation's interest. Some of these flash points illustrate the nature of the ongoing battle in India. These are illustrations of people using their democratic spaces to resist a model of economic growth that benefits the capitalist class at great cost to the rest of the population, and at a near fatal cost to local communities.

As practitioners, people are often advised to remain within the confines of public action, and leave the 'thinkers and researchers' to politically analyse the situation. If action were to be divorced from reflection, it would be a fundamental fallacy. We will not go into the

endless debate about whether thought precedes action or whether action prepares grounds for thought. I would like to go along with Yeats[6] who said:

> God guard me from those thoughts men think
> In the mind alone;
> He that sings a lasting song
> Thinks in a marrow-bone;

Who gains and how much

The neoliberal bait of a better life first bought over the rising middle class and its desire for new brands of luxury goods and the consumer lifestyle of the Western world. The rapture over 'foreign' goods was replaced by conspicuous consumption of goods and services. The idea of management positions and salaries at international rates and the economic advantages of outsourcing for the private sector saw a new, more affluent and assertive Indian middle class. This is the group that felt and said that India was shining. The elections in 2005 made it clear through the vote that the majority of people had not benefitted and were now using democracy (the vote) to demand basic development rights.

One section of society continues to describe the slew of rights based legislation as no more than social safety nets. What is far more important to understand however, is the political implication of asserting basic development and economic rights for all citizens. As questions of accountability and implementation are raised side by side with a battle for a share of national resources, the ideological framework of democratic equality begins to be seen on a bigger canvas.

But even the middle class has faced several rounds of market induced vulnerabilities. They are beginning to see how the windfall profits are being cornered by big corporations – whether in the awarding of captive coal blocks, or in the selling of airwaves. Like in the affluent West, failed corporations are bailed out and their top executives' salaries are protected. The middle class farmer in India has already understood the stranglehold of a credit-oriented capitalist agriculture, and has found no escape except suicide. As waves of recession hit the economy in different parts of the world and result in layoffs in faraway places, there is a fear that educated

[6] William Butler Yeats in 'A Prayer for Old Age' published in 1935.

youth with huge debts and no jobs may go the way of the farmers. The State steps in to extend credit to Adani through the nationalised State Bank of India but subsidies are cut for citizens even when they concern the rural economy and the poor.

The hiatus between the rich and poor is increasing. Unemployment, minimum wages, and labour rights are seen as disruptive non-issues. Since the "Occupy movement" and other protests, there is a growing understanding that the political dispensation all over the world is controlled by corporations, billionaires and international banking institutions. There is popular resistance even in the US and Europe. The aspiring class in other market-oriented economies has had to take notice. As always, in these "difficult times" of resistance protest and revolt, the State increases its expenditure on security and surveillance, while development measures and basic needs get smaller allocations and less attention.

THE MOVEMENTS – PEOPLE AS MAKERS OF POLICY AND LAW

The RTI as a Transformatory Right

The RTI Act was to deliver transparency and help make the State accountable to the Indian citizen. In addition, the RTI further strengthened constitutional equality, according Indian citizens equal access to matters and processes of governance.

When the RTI is seen with this wider prism, it becomes an effective tool to fight corruption and the arbitrary exercise of power. Corruption is not just the illegal transaction of money, but also a manifestation of injustice in different forms. That is why it is not enough to have a broad coalition against corruption without linking it with injustice. Similarly, it is not enough to have a movement against corruption, without a commitment to democratic principles.

The bureaucratic tradition and structure in India makes the bureaucrat vulnerable to arrogance and self interest. It draws grandeur from the past 'glory' of a colonial British legacy that created a service that would be opulent and powerful with the people, but strictly follow orders from the top without application of mind. The bureaucracy is getting more confused, squirming under questionable leadership and arbitrariness of an increasingly delegitimized political class. Moreover, the evolving democratic demands of scrutiny is making the bureaucracy accountable

to people they do not necessarily see as their equals. Their exclusivity – distancing themselves from genuine relationships with people, despite the oath they take to serve – needs no elaboration. Their confusion often leads to a situation of even greater arbitrariness and aggression with those who they perceive as 'weak', and to an abject supplication to their political bosses. The mere 'adjustments' with a new democratic order have not really worked, and we continue to pay the price for not creating a bureaucratic architecture that would be committed to principles of democracy and participation.

The political class must be held responsible for this failure. Leaders who had spent decades and a lifetime on the side of the people, outside the trappings of power and position, quickly and easily slid into the comfort zone of established power. The steady dilution of ethical principles was inevitable, as they lost personal experience and touch with the needs of ordinary people. The Indian Constitution, created on the cusp of the birth of democracy and independence therefore remains our strongest legacy to the hopes of a democratic nation that will recognise the aspirations of equality, justice, and freedom of expression of those at the social and economic margins.

The political class of independent India has never been more lacking in principles and ethics. The search is now for immediate justification and the politics of convenience. Ideological alternatives are to be expected and can be debated. But the dismissal of all ideological moorings is in effect the trivializing of the citizen and the voter, by denying prior information to make informed choices. The disclosure of the basic promises of governance should be the reason for asking for votes in any rational democracy. The pitch for post ideology is an excellent cloak to don for all opportunist politics. For, some politicians are indeed opportunists but for the others it is an excellent red herring to cloak a more sinister intent.

In the deliberately created mess of ideological incompatibles, political opportunism has won with the support of capitalist investment. The capitalist in the neoliberal age of market fundamentalism has managed to take full advantage of these weaknesses and has bought almost everything in power including those who set the discourse. For the investors, every action is measured and evaluated by profit, and not by the parameters of constitutional guarantees and the constitution. The leaders are projected on a giant screen larger than life and endowed with all the attributes of indomitability. Donning the clothes evocative of the past glory of kings and the celluloid faces of the celebrities of the screen, the leaders have

captured the tired imagination of the befuddled voter. Tired of the confusion that the citizens themselves continue to create by contributing to the fault-lines of class, caste, gender and religious discrimination, they surrender to the magic of promises of authority and better days. The chaos and tiredness of incessant bickering and mismanagement have brought in the cult of a 'strong' leader and the cold rational strategies of capital and profit. The mainstream did not follow reason and logic to ask what 'the good days' or change would actually translate into. Only this time, the emperor's new clothes had a bill that could have fed many thousand hungry citizens. And this time, at least after the elections, the questions are getting asked!

Two Indias

Social activists and peoples' protests are irritants; a constant reminder that we are using the 'anarchy and disorder' of a democracy to 'unreasonably' claim social and economic rights. Ultimately, the final straw is the inherent arrogance of a feudal and colonial administrative order's horror of being questioned. Those who protest about the assault by capital as a part of the new economic order are damned as anti-development activists. People are no longer satisfied with what the vote gives them. By using powerful democratic modes such as the Right to Information and public hearings to discuss governance and the assertion of development rights through new laws fought for and drafted bottom-up, people are demanding their share of democratic decision making and democratic governance.

Those of us who work with the poor in rural India are worried and are made anxious by the lack of real understanding of these powerful democratic processes, and the deliberate myopia of the ruling elite. The consequent anti-democratic, elitist legitimisation of sanctioned plunder of natural resources and profit-driven business encouraged by our rulers across parties, has shrunk the space for dissent. The loss of lives, livelihood and natural resources are casually written off as 'collateral damage'. While we talk of sustainable growth, the overexploitation of natural and human resources to the point of permanent natural destitution by capital investment cannot get us any closer to the stated ideal. It also fuels aspirations to live with this level of exploitation. The disastrous effect on the environment, so patently obvious to see, is not even getting lip service any more. A new justification by our rulers is "that the poor of India and China have the right to "develop"! Never mind that all those who are protesting this model of "development" and growth are the poorest tribals

and citizens of India. Apart from what we do to these huge communities, and their habitat, there is no doubt that we are on a trajectory that will push the earth to self destruct.

Parameters for Policy

In India today, there are competing interests, competing ideologies, and a contradictory vision of a future, which is being played out in the political domain. Any attempt to bring in to centre stage the Constitutional provisions that address the concerns of those at the economic and social margins, represented by the voice of Bhimrao Ambedkar and some others within the Constituent Assembly, is now countered by marginalising the Constitution itself. The Constitution was shaped to steadily and incrementally balance the inequality inherent in the fabric of Indian social and economic structures. The Directive principles of State Policy read like a manifesto for a better India; they address the inequalities in poorer India consisting of more than half of the population. Article 36-51 of the Constitution of India reads in essence like an agenda for action. It calls for the State to secure a social order for the promotion of welfare of the people, elucidating principles of policy to be followed by the State:

> Article 38 says: the " State to secure a social order for the promotion of welfare of the people.
>
> (1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.
>
> (2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations."

All this is however resisted strongly by the rulers of the day. The manner in which basic principles of the Indian Constitution are being set aside shows how unconstitutional the current 'growth' based development model actually is. In the year of the 125th birth Anniversary of Dr Bhimrao Ambedkar, market forces will ensure that his birthday will be celebrated and his image sold, with his ideas being covered with vacuous words and tinsel decorations.

The expectations of independent India

A burgeoning independent India defined for itself a democratic structure for economic and social freedoms. It provided for reservations for people suppressed by a discriminatory caste system worse than apartheid – with social handicaps for centuries – cutting across all of South Asia. The middle class and elite castes have resented reservation for Dalits. Today, every middle and upper caste group clamours for reservation of its own social constituency! Unable to upset the status quo, this new demand for reservation is aggressive, backed by privilege, and apparently is a claim for justice. It is a political tool that is trying to use the symbol of 'equality' to further entrench and protect inequity. Sadly, it only manages to parody the seriousness of the original; mocking the genuine need for reservation. It turns the need to protect traditionally socially and economically deprived communities upside down and inside out.

Ambedkar's predicted contradiction now re-emerges from an economic 'model' superimposed and forced on a people, who have begun to ask intelligent democratic questions relating to governance, fiscal viability, regulatory mandates, fulfilling the democratic dream of a people aware of their rights. They are the real keepers of Indian democracy and yet are targets of the system, which declares that they are indulging in acts of sedition.

In other cases, they become the targets of a system that professes to address their concerns. They have fought the myths that seek to keep them where they are and the traditions that pin them down forever from being able to climb the first step of the ladder. A great political analyst, Eduardo Galeano writes:

> "Fleas dream of buying themselves a dog, and nobodies dream of escaping poverty: that, one magical day, good luck will suddenly rain down on them – will rain down in buckets. But good luck doesn't rain down, yesterday, today, tomorrow or ever. Good luck doesn't even fall in a fine drizzle, no matter how hard the nobodies summon it, even if their left hand is tickling, or if they begin the new day on their right foot, or start the New Year with a change of brooms. The nobodies: nobody's children, owners of nothing. The nobodies: the no-ones, the nobodied, running like rabbits, dying through life, screwed every which way. Who are not, but could be. Who don't speak languages, but dialects. Who don't have religions, but superstitions. Who don't create art, but handicrafts. Who don't

have culture, but folklore. Who are not human beings, but human resources. Who do not have faces, but arms. Who do not have names, but numbers. Who do not appear in the history of the world, but in the crime reports of the local paper. The nobodies, who are not worth the bullet that kills them."[7]

When they emerge from this 'destiny' of subjugation, they face a new set of superstitions – the left foot is replaced by the fair and lovely cream; and the future is glossy with an array of consumer goods that will deflect their minds away from injustice and hunger! What continues are the theories evolved by faceless systems of consumerism and profit and the modern mirage of *"acche din"*.

Who Decides – People As Policy Makers

In India, the people who have gained equality through the vote but largely remain disenfranchised economically and socially, constitute a numerical majority. The current economic model that is being imposed essentially dispossesses people of land and livelihood or, as in Kudankulam, threatens to bring in technology, the after effects of which are irreversible. This debate goes into very many issues, fundamental to which is the basic question of democratic governance, i.e., who decides? Can we decide on behalf of people whose safety may be threatened, and pronounce their fears invalid and more heinously illegitimate, without even attempting to enter into a dialogue? Who decides costs, and on what parameters? Is "cost" calculated just on financial terms or is it measured by the cost calculated by the possible irreversible genetic damage and dysfunction of a million people? Can future costs of decommissioning a plant be transferred to a later generation? Why are local populations so concerned about the future (when they will not be around) and why are policy makers so quick to underestimate future costs? Is the common sense of people senseless rabble rousing when countered by experts with many years of academic and technical study behind them?

Sceptical citizens in India have begun to believe that many claims made by so called experts and policy makers is just dangerous double speak. There is an ostensible argument about growth and trickle down theories, and the reality of economic growth and shared revenues, but an understanding that the push and shove comes from profit and greed. This suspicion has now been confirmed by the various scams that have

[7] Eduardo Galeano, "The Nobodies" in Open Veins of Latin America: Five Centuries of the Pillage of a Continent, 1971.

unfolded in India. The stated objectives of development and growth are often a smokescreen for siphoning off huge amounts of money.

One of the central principles of a democracy is sharing 'governance' (the exercise of power) with the people. A population that elects the government has a right to be consulted and involved in every stage of planning, implementation and monitoring. Although this was not denied, it was never really a part of the grand design either before or even immediately after independence. This bankruptcy of understanding has just become much starker, etching a bleaker scenario than ever before. The dissonance between the sovereign people and the ruling elite is now substantially worse because of a serious threat from capital which has entered through the front door of a free market economy, and welcomed as a powerful, influential player.

Information, Knowledge, Dialogue

What we then bring to you is the logic, the understanding and the theory that comes out of being in, and being a part of, public action. It is a process that forces people to examine the status quo, to go beyond what is apparent to be able see the links among what appear to be unconnected issues, to evolve a discourse to help the struggle for better life, with equality and justice.

The broader contribution of the Right to Information campaign and struggle to the lexicon of the common person's understanding of democracy was its unpacking of the basic constitutional right of sovereignty. This movement demonstrates that we can claim a share in governance and decision making, not only in the issue of immediate concern but in all its facets. Spontaneous uprisings and protests make a mark, but reasoned understanding comes with ownership of an idea that can come only through sustained struggle, rooted in shared principles and ideology. Campaigns shaped on those premises and following participatory processes survive to change systems. This is a collective exploration of an understanding that has emerged from various struggles.

Perhaps we should see this as the beginning of a conversation. Despite the nature of the mode of discourse – a speaker facing an audience – we will not assume a continuing divide between the speaker and the listeners. It is in the nature of such issues and concerns, that conversations must (and do) continue in different ways over a period of time. Let us therefore see this as the beginning of a longer set of dialogues and

discussions. There will be no definite charting of a 'road map', a topical term indicative of a definitive end of a journey, this evening. We should rather think that *"manzil door hai"* and prepare for a long journey to fashion a world of equality and reason, where the assertion of the larger good defined by people will shape political structures and economic policies. We also have to understand the nature of parallel and contradictory forces at work. I belong to a community of actors whose articulation is almost as marginalised as its existence. Yet, this marginalisation should not be allowed to obliterate the power of concepts and ideas born through their democratic struggles. The stories of courage and persistence tell us a great deal more about the potential of essential democratic processes which have established even the preliminary right to protest. Some of the poorest people, deprived of all material advantages, unarmed, and largely unsupported have managed to stave off the ire of the state with peaceful resistance.

The fact is that ideas they have inherently understood, shaped and sustained, have to be acknowledged and sometimes followed by a completely antithetical ruling elite. These concepts undermine illegitimate concentrations of power. The fact that in these neoliberal times we have laws that enshrine the right to information, and economic rights of poor and marginalised people, is a tribute to their struggles, to democracy, and to the power of their ideas. This evening can at best end with a set of agreement on convictions, borne out by the logic of common sense arguments, and the veracity of facts tabled. We may perhaps begin shifting both perception and action.

Despite the indifference of the electronic media controlled by corporate interests, a corrupt administrative system, and the systematic betrayal by the elected political class, people have managed to keep the battle alive. In some cases, they have even prevailed enough to claim partial victory. May be capital shifts, only to find another spot, but what we see repeatedly everyday is the sharp political wisdom of the poor. Though some of them are illiterate, they understand the authority that the democratic system and the vote have given them. Political educational levels of the people in rural India should be seen through their sustained engagement with power. It makes them the real protectors of democracy. The deviants are those who talk of democracy but plan methods of siphoning off profits at the cost of people's lives and livelihood.

People have to use their knowledge and their voice. Jerome Cronin writer and political activist in South Africa said of citizenship in a

democracy that it is all about, "Speaking truth to power, making truth powerful, and power truthful."

Shaping Democracy

The Right to Information movement in India has been powerful because it has asserted and begun to define democratic participation and accountability to the citizen. The movement that was initially shaped and sustained by poor people gave birth to simple questions that inextricably linked corruption with injustice. The MKSS was born on May 1st 1990, with a defining slogan – "Nyay Samanta Ho Aadhar, Aisa Rachenge Hum Sansar". It was natural, therefore, that in the struggle for the right to information, the questions that were framed, and issues that were taken up related to the same dream of justice and equality that the MKSS began with.

It is also this democratic understanding and assertion that allowed the RTI to move into more incisive areas of accountability and participation such as the right to public audit. The RTI movement has deepened and widened like a river that sustains a civilisation. The various campaigners and associated campaigns have begun to assert the right to frame legislation, through a transparent Pre-legislative process. The right to demand democratic accountability becomes far more comprehensible after the engagement begins through the right to information. Processes of public audit begin from stages of planning, implementation, and participation in the framing of legislation. Underlying all these simultaneous and growing demands are the two simple but powerful democratic rights, and one duty – the right to know, and the right to decide; followed by democratic accountability to the people of all those in positions of power.

At the heart of the democratic exercise are the principles of justice and equality, walking side by side, like the justice and freedom Eduardo Galeano speaks of so eloquently.

"The capitalist system, the so-called "market economy," has sacrificed justice in the name of freedom, and the so-called "real Socialism" has sacrificed freedom in the name of justice. Beginning the new millennium, this is the challenge: we want justice and freedom, Siamese twins, living and walking together."[8]

On the 125th birth anniversary of Ambedkar, we need to draw inspiration from his faith in principles in these difficult times. He has been, is and will continue to be a touchstone for those of us who cherish equality and justice as twin values in all matters of socio-economic political life. In 1942, he gave the following advice to his followers:

"My final words of advice to you are educate, agitate and organize; have faith in yourself. With justice on our side I do not see how we can lose our battle. The battle to me is a matter of joy. The battle is in the fullest sense spiritual. There is nothing material or social in it. For ours is a battle not for wealth or for power. It is battle for freedom. It is the battle of reclamation of human personality."

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[8] Eduardo Hughes Galeano was an Uruguayan journalist, writer and novelist considered, among other things, "global soccer's pre-eminent man of letters" and "a literary giant of the Latin American left".



Aruna Roy, an officer in the Indian Administrative Services from 1968 to 1974, left the IAS to join the Social Work and Research Centre, a rural-development organization in Tilonia in Rajasthan state. In 1983 she set up the Mazdoor Kisan Shakti Sangathan (MKSS), an organization working towards empowering workers and peasants. Her relentless efforts for transparency in government and access to public information led to the approval of right-to-information act in the parliament in 2005. In 2000, Aruna Roy was awarded the Ramon Magsaysay award for Community Leadership and International Understanding.

Ambedkar University Delhi

Ambedkar University Delhi or AUD was established by the Government of the National Capital Territory of Delhi through an Act of Legislature in 2007. AUD is mandated to focus on research and teaching in the social sciences and humanities and is guided by the vision of bridging equality and social justice with excellence. The University considers it to be its mission to create sustainable and effective linkages between access to and success in higher education and is committed to creating an institutional culture characterised by humanism, non-hierarchical and collegial functioning, teamwork and creativity. AUD has been accredited by the National Assessment and Accreditation Council with an 'A' grade.

AUD's teaching and research programmes focus on generating knowledge and building capacities for public systems and institutions to function as instruments of social transformation and development, and on preparing professionals at the interface of Civil Society and the State.

AUD functions through its various Schools and Centres. The Schools offer doctoral and master's programmes while Centres promote studies, research and outreach programmes. The School of Undergraduate Studies is the academic home for the undergraduate programmes in the social sciences, humanities, mathematical sciences and liberal studies. The details of the Schools, Centres and programmes of AUD are available on the University website www.aud.ac.in